

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
24-20282-CR-RUIZ/LOUIS
CASE NO. _____

21 U.S.C. § 846

21 U.S.C. § 860

18 U.S.C. § 922(g)(1)

21 U.S.C. § 853

FILED BY MP D.C.

Jul 2, 2024

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

UNITED STATES OF AMERICA

v.

MICHAEL DONALDSON,
LEO GILBERT,
JAMARE ANDRE GARDNER,
a/k/a/ "Maury,"
DESHUN RICHARD JAMES,
DONTÉ IKE GOSHA,
JOSE ALBERT RUIZ,
KIM WHITEHURST,
a/k/a "A-Boy," and
HASANI NESBITT,
a/k/a "Get Right,"
Defendants.

INDICTMENT

The Grand Jury charges that:

COUNT 1

**Conspiracy to Distribute a Controlled Substance
(21 U.S.C. § 846)**

Beginning in or around February 16, 2022, and continuing through on or about December 7, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**MICHAEL DONALDSON,
LEO GILBERT,
JAMARE ANDRE GARDNER,
a/k/a/ "Maury,"
DESHUN RICHARD JAMES,
JOSE ALBERT RUIZ,
KIM WHITEHURST,
a/k/a "A-Boy," and
HASANI NESBITT,
a/k/a "Get Right,"**

did knowingly and willfully combine, conspire, confederate, and agree with each other and others, known and unknown to the Grand Jury, to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1); all in violation of Title 21, United States Code, Section 846.

It is further alleged that the controlled substance involved in the conspiracy attributable to the defendant, **MICHAEL DONALDSON**, as a result of the defendant's own conduct, and the conduct of other conspirators reasonably foreseeable to the defendant, is five hundred (500) grams or more of a mixture and substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(B)(ii)(II).

It is further alleged that the controlled substance involved in the conspiracy attributable to the defendants, **LEO GILBERT, JAMARE ANDRE GARDNER, a/k/a/ "Maury," KIM WHITEHURST, a/k/a "A-Boy," and HASANI NESBITT, a/k/a "Get Right,"** as a result of the defendants' own conduct, and the conduct of other conspirators reasonably foreseeable to the defendants, is a mixture and substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(C).

It is further alleged that the controlled substance involved in the conspiracy attributable to the defendants, **MICHAEL DONALDSON** and **DESHUN RICHARD JAMES**, as a result of the defendants' own conduct, and the conduct of other conspirators reasonably foreseeable to the

defendants, is a mixture and substance containing a detectable amount of methamphetamine, in violation of Title 21, United States Code, Section 841(b)(1)(C).

It is further alleged that the controlled substance involved in the conspiracy attributable to the defendants, **MICHAEL DONALDSON** and **JOSE ALBERT RUIZ**, as a result of the defendants' own conduct, and the conduct of other conspirators reasonably foreseeable to the defendants, is a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenyl-ethyl)-4-piperidiny] propenamide, commonly referred to as "fentanyl," in violation of Title 21, United States Code, Section 841(b)(1)(C).

It is further alleged that the controlled substance involved in the conspiracy attributable to the defendants, **MICHAEL DONALDSON** and **HASANI NESBITT, a/k/a "Get Right,"** as a result of the defendants' own conduct, and the conduct of other conspirators reasonably foreseeable to the defendants, is a mixture and substance containing a detectable amount of oxycodone, in violation of Title 21, United States Code, Section 841(b)(1)(C).

COUNT 2
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about February 18, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 3
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about March 4, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 4
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about March 11, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 5
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about April 1, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 6
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about April 21, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

MICHAEL DONALDSON and
LEO GILBERT,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860 and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 7
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about May 5, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine and oxycodone.

COUNT 8
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about May 27, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 9
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about June 17, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 10
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about July 13, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

MICHAEL DONALDSON and
JAMARE ANDRE GARDNER,
a/k/a/ "Maury,"

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525

NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860 and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 11
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about July 14, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

MICHAEL DONALDSON and
DESHUN RICHARD JAMES,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860 and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of methamphetamine.

COUNT 12
Possession of a Firearm by a Convicted Felon
(18 U.S.C. § 922(g)(1))

On or about July 18, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

DONTE IKE GOSHA,

knowingly possessed a firearm in and affecting interstate and foreign commerce, knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 13

**Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)**

On or about August 10, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 14

**Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)**

On or about August 31, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising a

public middle school, that is, North Dade Middle School, located at 1840 NW 157th Street, Miami Gardens, Florida 33054, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 15
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about October 21, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 16
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about November 15, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

MICHAEL DONALDSON and
JOSE ALBERT RUIZ,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525

NW 167th Street, Miami, Florida 33169, and a public middle school, that is, North Dade Middle School, located at 1840 NW 157th Street, Miami Gardens, Florida 33054 in violation of Title 21, United States Code, Section 860 and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenyl-ethyl)-4-piperidinyl] propenamide, commonly referred to as “fentanyl.”

COUNT 17

**Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)**

On or about November 19, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**MICHAEL DONALDSON,
LEO GILBERT, and
KIM WHITEHURST,
a/k/a “A-Boy,”**

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising a public middle school, that is, North Dade Middle School, located at 1840 NW 157th Street, Miami Gardens, Florida 33054, in violation of Title 21, United States Code, Section 860 and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 18

**Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)**

On or about November 21, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising a public middle school, that is, North Dade Middle School, located at 1840 NW 157th Street, Miami Gardens, Florida 33054, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenyl-ethyl)-4-piperidinyl] propenamide, commonly referred to as “fentanyl.”

COUNT 19

**Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)**

On or about November 26, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**MICHAEL DONALDSON and
HASANI NESBITT,
a/k/a “Get Right,”**

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising a public middle school, that is, North Dade Middle School, located at 1840 NW 157th Street, Miami Gardens, Florida 33054, in violation of Title 21, United States Code, Section 860, and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of oxycodone.

COUNT 20

**Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)**

On or about November 29, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**MICHAEL DONALDSON and
HASANI NESBITT,
a/k/a “Get Right,”**

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising a public middle school, that is, North Dade Middle School, located at 1840 NW 157th Street, Miami Gardens, Florida 33054, in violation of Title 21, United States Code, Section 860 and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 21

**Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)**

On or about December 1, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising a public middle school, that is, North Dade Middle School, located at 1840 NW 157th Street, Miami Gardens, Florida 33054, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 22
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about December 7, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

MICHAEL DONALDSON,

did knowingly and intentionally distribute a controlled substance, that is, 14 grams of cocaine, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

COUNT 23
Distribution of a Controlled Substance within 1,000 Feet of a School
(21 U.S.C. § 860)

On or about December 7, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

MICHAEL DONALDSON and
LEO GILBERT,

did knowingly and intentionally distribute a controlled substance, that is, 13.8 grams of cocaine, in violation of Title 21, United States Code, Section 841(a)(1), within one thousand (1,000) feet of the real property comprising an elementary, middle, and high school, that is, the Lubavitch

Educational Center, located at 1525 NW 167th Street, Miami, Florida 33169, in violation of Title 21, United States Code, Section 860 and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that this violation involved a mixture and substance containing a detectable amount of cocaine.

FORFEITURE ALLEGATIONS

1. The allegations of this Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendants, **MICHAEL DONALDSON, LEO GILBERT, JAMARE ANDRE GARDNER, a/k/a/ "Maury," DESHUN RICHARD JAMES, DONTÉ IKE GOSHA, JOSE ALBERT RUIZ, KIM WHITEHURST, a/k/a "A-Boy,"** and **HASANI NESBITT, a/k/a "Get Right"** have an interest.

2. Upon conviction of a violation of Title 21, United States Code, Sections 841(A)(1), 860, and/or 846, as alleged in this Indictment, the defendants shall forfeit to the United States any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense, and any property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of, such offense, pursuant to Title 21, United States Code, Section 853.

3. Upon conviction of a violation of Title 18, United States Code, Section 922(g)(1), or any other criminal law of the United States, as alleged in this Indictment, the defendant shall forfeit to the United States any firearm and ammunition involved in or used in the commission of such violation, pursuant to Title 18, United States Code, Section 924(d)(1).

All pursuant to Title 18, United States Code, Section 924(d)(1), and the procedures set forth in Title 21, United States Code, Section 853, as made applicable by Title 28, United States Code, Section 2461(c).

A TRUE BILL



FOREPERSON

A handwritten signature in black ink, appearing to read 'Markenzy LaPointe', written over a horizontal line.

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read 'Marc Chattah', written over a horizontal line.

MARC CHATTAH
ASSISTANT UNITED STATES ATTORNEY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA

CASE NO.: 24-20282-CR-RUIZ/LOUIS

v.

MICHAEL DONALDSON, et al.,

CERTIFICATE OF TRIAL ATTORNEY_____
Defendants.

Court Division (select one)

- ☒ Miami ☐ Key West ☐ FTP
☐ FTL ☐ WPB

Superseding Case Information:

New Defendant(s) (Yes or No) _____

Number of New Defendants _____

Total number of new counts _____

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) No
List language and/or dialect: _____
4. This case will take 7 days for the parties to try.
5. Please check appropriate category and type of offense listed below:

(Check only one)	(Check only one)
I <input type="checkbox"/> 0 to 5 days	<input type="checkbox"/> Petty
II <input checked="" type="checkbox"/> 6 to 10 days	<input type="checkbox"/> Minor
III <input type="checkbox"/> 11 to 20 days	<input type="checkbox"/> Misdemeanor
IV <input type="checkbox"/> 21 to 60 days	<input checked="" type="checkbox"/> Felony
V <input type="checkbox"/> 61 days and over	
6. Has this case been previously filed in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
7. Has a complaint been filed in this matter? (Yes or No) No
If yes, Magistrate Case No. _____
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
9. Defendant(s) in federal custody as of _____
10. Defendant(s) in state custody as of _____
11. Rule 20 from the _____ District of _____
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? (Yes or No) No
14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? (Yes or No) No
15. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No
16. Did this matter involve the participation of or consultation with now Magistrate Judge Marta Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No

By: 

MARC CHATAH

Assistant United States Attorney

FL Bar No. 27586

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: MICHAEL DONALDSON

Case No: _____

Count 1:

Conspiracy to Distribute a Controlled Substance

Title 21, United States Code, Section 846

- * **Max. Term of Imprisonment:** 40 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** 5 years
- * **Max. Supervised Release:** at least 3 years to life
- * **Max. Fine:** \$10,000,000

Counts 2-11 and 13-23:

Distribution of a Controlled Substance within 1,000 Feet of a School

Title 21, United States Code, Section 860

- * **Max. Term of Imprisonment:** 40 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** 1 year
- * **Max. Supervised Release:** at least 4 years to life
- * **Max. Fine:** \$2,000,000

***Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: LEO GILBERT

Case No: _____

Count 1:

Conspiracy to Distribute a Controlled Substance

Title 21, United States Code, Section 846

- * **Max. Term of Imprisonment:** 20 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** N/A
- * **Max. Supervised Release:** at least 3 years to life
- * **Max. Fine:** \$1,000,000

Counts 6, 17, and 23:

Distribution of a Controlled Substance within 1,000 Feet of a School

Title 21, United States Code, Section 860

- * **Max. Term of Imprisonment:** 40 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** 1 year
- * **Max. Supervised Release:** at least 3 years to life
- * **Max. Fine:** \$2,000,000

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JAMARE ANDRE GARDNER

Case No: _____

Count 1:

Conspiracy to Distribute a Controlled Substance

Title 21, United States Code, Section 846

- * **Max. Term of Imprisonment:** 20 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** N/A
- * **Max. Supervised Release:** at least 3 years to life
- * **Max. Fine:** \$1,000,000

Count 10:

Distribution of a Controlled Substance within 1,000 Feet of a School

Title 21, United States Code, Section 860

- * **Max. Term of Imprisonment:** 40 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** 1 year
- * **Max. Supervised Release:** at least 3 years to life
- * **Max. Fine:** \$2,000,000

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: DESHUN RICHARD JAMES

Case No: _____

Count 1:

Conspiracy to Distribute a Controlled Substance

Title 21, United States Code, Section 846

* **Max. Term of Imprisonment:** 20 years

* **Mandatory Min. Term of Imprisonment (if applicable):** N/A

* **Max. Supervised Release:** at least 3 years to life

* **Max. Fine:** \$1,000,000

Count 11:

Distribution of a Controlled Substance within 1,000 Feet of a School

Title 21, United States Code, Section 860

* **Max. Term of Imprisonment:** 40 years

* **Mandatory Min. Term of Imprisonment (if applicable):** 1 year

* **Max. Supervised Release:** at least 3 years to life

* **Max. Fine:** \$2,000,000

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: DONTE IKE GOSHA

Case No: _____

Count 12:

Possession of a Firearm by a Convicted Felon

Title 18, United States Code, Section 922(g)(1)

* **Max. Term of Imprisonment:** 15 years

* **Mandatory Min. Term of Imprisonment (if applicable):** N/A

* **Max. Supervised Release:** 3 years

* **Max. Fine:** \$250,000

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JOSE ALBERT RUIZ

Case No: _____

Count 1:

Conspiracy to Distribute a Controlled Substance

Title 21, United States Code, Section 846

* **Max. Term of Imprisonment:** 20 years

* **Mandatory Min. Term of Imprisonment (if applicable):** N/A

* **Max. Supervised Release:** at least 3 years to life

* **Max. Fine:** \$1,000,000

Count 16:

Distribution of a Controlled Substance within 1,000 Feet of a School

Title 21, United States Code, Section 860

* **Max. Term of Imprisonment:** 40 years

* **Mandatory Min. Term of Imprisonment (if applicable):** 1 year

* **Max. Supervised Release:** at least 3 years to life

* **Max. Fine:** \$2,000,000

***Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: KIM WHITEHURST

Case No: _____

Count 1:

Conspiracy to Distribute a Controlled Substance

Title 21, United States Code, Section 846

- * **Max. Term of Imprisonment:** 20 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** N/A
- * **Max. Supervised Release:** at least 3 years to life
- * **Max. Fine:** \$1,000,000

Count 17:

Distribution of a Controlled Substance within 1,000 Feet of a School

Title 21, United States Code, Section 860

- * **Max. Term of Imprisonment:** 40 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** 1 year
- * **Max. Supervised Release:** at least 3 years to life
- * **Max. Fine:** \$2,000,000

***Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: HASANI NESBITT

Case No: _____

Count 1:

Conspiracy to Distribute a Controlled Substance

Title 21, United States Code, Section 846

- * **Max. Term of Imprisonment:** 20 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** N/A
- * **Max. Supervised Release:** at least 3 years to life
- * **Max. Fine:** \$1,000,000

Counts 19 and 20:

Distribution of a Controlled Substance within 1,000 Feet of a School

Title 21, United States Code, Section 860

- * **Max. Term of Imprisonment:** 40 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** 1 year
- * **Max. Supervised Release:** at least 3 years to life
- * **Max. Fine:** \$2,000,000

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.